

**KENTUCKY 1996 SESSION LAWS  
1996 REGULAR SESSION**

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Additions are indicated by <<+ Text +>>; deletions by  
<<- Text ->>. Changes in tables are made but not highlighted.  
Committee and floor amendments not incorporated into bill text appear following  
text.

CH. 141 (H.B. 349)

West's No. 83

PUBLIC UTILITIES--WATER FOR FIRE PROTECTION--FREE OR REDUCED RATE SERVICE

AN ACT relating to water for fire protection.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 278.035 is amended to read as follows:

<< KY ST § 278.035 >>

Any entity receiving public funds from the Commonwealth of Kentucky, or any political subdivision thereof, for the purpose of offsetting at least fifty percent (50%) of its operational expenses shall not be entitled to preferential retail rates for services provided by utilities subject to the provisions of KRS Chapter 278. <<+This section shall not prohibit the provision of free or reduced rate service under subsection (3) of Section 2 of this Act.+>>

Section 2. KRS 278.170 is amended to read as follows:

<< KY ST § 278.170 >>

- (1) No utility shall, as to rates or service, give any unreasonable preference or advantage to any person or subject any person to any unreasonable prejudice or disadvantage, or establish or maintain any unreasonable difference between localities or between classes of service for doing a like and contemporaneous service under the same or substantially the same conditions.
- (2) Any utility may grant free or reduced rate service to its officers, agents<<+,+>> or employees, and may exchange free or reduced rate service with other utilities for the benefit of the officers, agents<<+,+>> and employees of both utilities. Any utility may grant free or reduced rate service to the United States, to charitable and eleemosynary institutions, and to persons en-

gaged in charitable and eleemosynary work, and may grant free or reduced rate service for the purpose of providing relief in case of flood, epidemic, pestilence<<+,+>> or other calamity. The terms "officers" and "employees," as used in this subsection, include furloughed, pensioned<<+,+>> and superannuated officers and employees, and persons who have become disabled or infirm in the service of the utility. Notice must be given to the commission and its agreement obtained for such reduced rate service except in case of an emergency, in which case the commission shall be notified at least five (5) days after the service is rendered.

(3) <<+Upon obtaining commission approval of a tariff setting forth terms and conditions of service the commission deems necessary, a utility as defined in KRS 278.010(3)(d) may grant free or reduced rate service for the purpose of fighting fires or training firefighters to any city, county, urban-county, charter county, fire protection district, or volunteer fire protection district. Any tariff under this section shall require the water user to maintain estimates of the amount of water used for fire protection and training, and to report this water usage to the utility on a regular basis.+>>

<<+(4)+>> The commission may determine any question of fact arising under this section.

Approved March 29, 1996.

KY LEGIS 141 (1996)

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